Sectt. II-27—50,000—27-10-41.

# Home (1942) Department.

MS SERIES.

p. 171(E)

G.O. No. 3402 (217-9)

Cancelled on 16-8-42

Dated 15-9-42

---

[Despatch Abstract.]

Children Act — Junior Certified School, Bellary — Committee of Visitors — D.M.O., Bellary, appointed as member

C.F. 32.

ASSISTANT SECRETARY TO GOVERNMENT 21 JUN 1942 HOME DEPARTMENT

20 JUN 1942 HOME DEP.

3209 (0)4

22.6.42

From (Name) Major G.S.Gill, O.B.E., I.M.S., Department Jail

Designation Ch. Inspr. of Certified Schools,

Station Coimbatore.

Received Registered

To

The Secretary to Government,
Home Department, Madras.

Enclosures:

No. 1558/S.3/42, dated 16th June 1942.

Sir,

Sub: Children Act - J.C.S. Bellary - Committee of Visitors Ex-officio members - appointment.

---

b3 supra I forward, herewith, letter No.Roc.342/42-E1 dated 9-6-1942 from the District Magistrate. Bellary. for favour of disposal.

2. The Superintendent, Central Jail, Bellary, was appointed as ex-officio member of the Committee of visitors to the Junior Certified School, Bellary, in G.O.No.Ms.689. Law, (Education) dated 11-5-1932 (copy enclosed).

F2 supra (2)b3

3. If approved, the following officials may be appointed by name instead of by their designation.

i. The District Medical Officer, Bellary,

ii. The Sub Divisional Magistrate, Bellary, and

iii. The Superintendent, Central Jail, Bellary.

4. If Government agree, the names of the three officials will be reported.

tj.18.6.

For Ch. Inspr. of Certd. Schools.

18/6/42

2

Copy

US

28 JUN 42

-2-

Copy of G.O.No.MS 289, Law (Education) dated 11-5-1932.

--;o;--

Sub: Children Act - J.C.S. Bellary - Committee of visitors Superintendent, Central Jail, Bellary - Appointed member.

---

UNDER SECRETARY TO GOVERNMENT
26 JUN 1942
HOME D

O R D E R:

The Government are pleased to appoint the Superintendent, Central Jail, Bellary, to be an ex-officio member of the Committee of Visitors to the Junior Certified School, Bellary.

--;o;--

Home Dept (G)

The original of G.O.No. 684 Law (Edn) dated 11-5-32 and No 140 Law (Edn) dated 30-1-42 required for the disposal of this current were called for from the Chittoor M.R.O. on 22/6/42, but they have not yet been received. Submitted that this may lie over till the G.Os are received.

KRL
25/6/42

25/6

P01996

C.F. 32.

In reply, please quote number, date and short title.*

Magisterial DEPARTMENT.

*Received* *Registered*

From (Name) I.M. Fraser, Esq.,I.C.S.,

(Designation) District Magistrate,

Post Box, (Station) ~~Bellary~~,

*Telegraphic Address*

To The Secretary to Government,Home Department,Madras.

Thro' The Chief Inspector of Certified schools, COIMBATORE.

ROC. *No.* 342/42-E1, *dated* 9-6-42. 19

Sir,

Children Act- Junior Certified school,Bellary- Committee of visitors- ex-Officio members- Appointment of - Instructions - requested.

ENCLOSURES

- - -

(P) 4-3-4

SPARE COPIES 1

In G.O.No.140 Mis.Law(Edn) Department, dated 30-1-32, the Government were pleased to appoint the following persons to be ex-Officio members of the Committee of visitors to the Junior Certified school,Bellary.

i). The District & Sessions Judge, Bellary,
ii). The District Magistrate, Bellary.
iii). The Superintendent ,Alipuram Jail,Bellary.
iv). The Dt.Medical Officer, Bellary.
v). The Sub Divisional Magistrate, Bellary.

4 G.O. 11-5-32 dated (Z) p3

Due to the subsequent abolition of the Alipuram Jail, the Superintendent, Central Jail,Bellary apparently has been appointed in place of the Superintendent ,Alipuram Jail, Bellary as he has been attending the Committee of Visitors on several occasions. The Headmaster of the Junior Certified School says he has no order authorising this change nor is there any order of this kind in my Office. I request that a copy of this Order may be applied to me.

p3-3 (Z)

(H)

(16 para rules)

2. According to Rule 19 under the Children Act, the District Magistrate, the Sessions Judge and the District Educational Officer shall be members (by designation) and such number of official residents as the Government shall from time to time determine. According to the instructions contained in Government Memo No.18382 G-3,Home, dated 4-10-41, the maximum number of Officials to be appointed by name should be four. This means that there should be four Officials (by name) other than three Officials (by designation). The six existing officials members noted in the margin* are all shown by their designations only. I request to be informed whether this practice may continue.

4-3-4 G.O.1247 Home 23-12-41 at (W)

For Dt.Magistrate.

HVR.10/6.

* 1). The Dt. Magistrate, Bellary.
2). The Dt.& Sessions Judge, Bellary.
3). The Dt.Medical Officer, Bellary.
4). The Sub Divisional Magistrate, Bellary.
5). The Supdt. Central Jail, Bellary.
6). The Dt.Educational Officer,Bellary.

Home Department.

Memo. No. 3209(c) G-1 dated 20.7.42

---

Children Act - J.C. school, Bellary - Committee of Visitors - Official members. Reference: From the C.I. of Cert. Schools, No. 1558/S3/42, d. 16.6.42.

---

The C.I. is requested to report not later than 5.8.42 the names of the three officials referred to in para 3 of his letter cited above.

To the C.I. of Cert. Schools

R.D. 6.8.42.

Memo No 3209(c) G-2 dt. 20.7.42 Home Dept

Children Act - Junior Certified School, Bellary - Committee of visitors - Ex-officio members - Appointment of - Instructions - Ref:- Letter from the D.M. Bellary Roc No. 342/42 - E1 dt 9.6.42 ¶ 3 supra

---

With reference to para 1 of his letter cited above, a copy of G.O. No. 689 Law (Edn) dt 11.5.32 is furnished to the D.M. Bellary.

~~With reference to para 2~~, Separate orders will be issued on the question raised in para 2 of the D.M's letter.

To the D.M., Bellary (With copy of the G.O. cited) page 3 ¶ (2)

C.F. 32 (a).

Jail Department

From (Name) Major G.S.Gill, O.B.E., I.M.S.,
Designation Chief Inspector of Certified Schools,
Station Coimbatore.

Received Registered

To

The Secretary to Government,
Home Department,
Madras.

687/1405
4-8-42

SECRETARY TO GOVERNMENT ASSL. 4 - AUG 1942 HOME DEPARTMENT

Enclosure:

No. 1558/S3/42, dated 30th July 1942.

Sir,

VISITORS - Junior Certified School, Bellary - Committee of Visitors - Ex-officio members - Appointment of.

REF:- Govt. Memorandum No.3209(O) G-1, Home, dated 20-7-1942.

---

The names of the three officials are furnished below as desired.

(1) Sri P.K.Kuriyan, L.M.& S.,
District Medical Officer.
(2) Janab Mohamad Mohideen Khan Sahib, B.A.,
Sub-Divisional Magistrate, Bellary, and
(3) Mr.E.V.Casey, Superintendent, Central Jail, Bellary.

for Inspector-Genl. of Prisons &
Chief Inspr. of Certd. Schools.

lss/31.7.

6

Home Department.

Children Act - Junior certified School, Bellary - committee of visitors - certain persons - Appointed.

Read also:-

No. 3209(0) G/42 from the e.I. of certified Schools No.

7

C.F. 14.

Home Dept.

## DRAFT FOR APPROVAL.

| | Date. | Initials. |
|---|---|---|
| When received for fair copying .. | | |
| When copied .. | Rec'd 15/8/42 | |
| When examined .. | | |
| When signed .. | | |
| When despatched. | | |

SUBJECT :— Children Act – Junior Certified School, Bellary – Committee of visitors – D.M.O, Bellary appointed as member.

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :—

No. 3209(c)G/42 From the C.I of Certified Schools No. 1558/53/42 dated 16-6-1942 ¶1 cf

" 6874(c)G/42 " _____ " " " 30-7-1942 ¶5 cf

" _____ " _____ " _____ " _____ 19____

Order ~~Resolution~~ ~~Rout.~~ Ms. No. 3402 dated 15-9-1942

¶6 cf G.O.No 2936 Home (H) 12-7-40

Under rule 19 of the Madras Children Rules, 1940, H.E. the Governor is pleased to appoint the D.M.O, Bellary to be member of the Committee

P.T.O.

8 & 8

of Visitors of the Junior Certified School, Bellary for a period of two years

The Govt do not consider it necessary to appoint the Sub-Divisional Magistrate and the Supdt, Central Jail, Bellary as members of the Committee of visitors cf last para of Sec's note on p 6 nt

Vide p 7 nt cf p 1 cf

2. With reference to para 2 of his letter Roc No 342/42 E-1 dated 9-6-42 the D.M, Bellary is informed that the three ex-officio members, namely the D.M, the Sessions Judge and the D.E.O. and the member now nominated, namely the D.H.O. should be shown by their designation only. p 3 cf

KRP
15/9/42

To the C.I of Certified Schools.
" D.M, Bellary
Copy to the Hony Secy, the Madras D.P.A-Society 95, Mount Road Madras. (para 1 only)
[Copy for stock file]

Home Dept

Memo. No. 10399 (a) G-1 dated 29-9-42

Children Act – Junior Certified School, Bellary – Committee of Visitors – District Educational Officer, Bellary appointed as member.

G.O. Ms. No 247-S Home dated 15-9-42 has been renumbered as G.O. Ms. No ~~247-S~~ 3402 (247-S)

P.To

Home dated 15-9-42.

KRP
27/9/42

28/9/42

28/9/42

To the C.I of Certified Schools
" D.M, Bellary
Copy to the Secy, the Madras D. P. A. Society
95 Mount Rd, Madras

Note After issue this will be added to the ...ynal of the GO (copy at R) which in now put up in file No 9611(c)/42

KRP
27/9/42

28/9/42

Subelk.
May be closed & put

1

Home Department.

C.No.3209/42-9. From the Chief Inspector of Certified schools, No.1558/53/42 dated 16th June 1942.

---

Children Act - Junior certified school, Bellary - Committee of Visitors - Official members.

---

With reference to the letter of the District Magistrate Bellary, at pp. 3-4 c.f., please see memo. No.8721 G-1 dated 31st March 1941, wherein the Chief Inspector was informed that of the official members who were on the Committee of Visitors of the Junior Certified school, Ranipet, prior to the date when the revised rules came into force, the District Magistrate, the Sessions Judge and the District Educational Officer of the district continued to be ex-officio members under rule 19 of the revised rules, and that the others had ceased to be ex-officio members and that it was, however, open to him (the Chief Inspector) to suggest any of those who had ceased to be ex-officio members, as official or non-official visitors by name. Submitted that the same remarks will apply to the official members on the Committee of Visitors to the J.C. school, Bellary. The D.M.O., S.D.M. and the Superintendent, C.J., Bellary, ceased to be members of the Committee of Visitors from the date on which the revised rules came into force, i.e., from 17th September 1940. They have, however, been continued on the Committee so far irregularly.

2. The C.I. has recommended that the three officials referred to (who ceased to be members) may be appointed as official visitors by name. This is in accordance with the instructions in memo. No.8721 G-1 dated 31st March 1941, and may therefore be accepted. There are at present no officials by name on the committee, and the number proposed (Viz. 3) for appointment as official visitors, is within the maximum number of officials to be appointed by name on Committee of Visitors.

S.M. 18/7/42

18/7/42

PTO

2

The C.I. may be asked to report ~~immediately~~ the names of the three officers for ~~for~~ appointment as official visitors. Draft enclosed

(~~A~~ Copy of G.O.No.689,L. Edn., dated 11-5-32, asked for by the D.M., may be furnished to him when final orders are issued in this case)

Why wait till the G.O. may be known any how now
19/7/42

19/7/42

S.M
18/7/42

19/7/42

With reference to the marginal orders above, a draft memo to the D.M. Bellary is submitted on p4 cf.

19/7/42

20/7/42

20/7/42

Issued Memo No. 3209 (0) S-1 Home dt 20.7.42 — 4

3209(0)S-1 " dt 20.7.42.

From the C.T. of certified schools, No. 1558/83/42 dt 30.7.42 — 5

The C.I. has furnished the names of the three officers for appointment as ~~official~~ official members of the Committee of visitors. For orders whether they may be appointed.

5 cf
Maybe appointed
7/8

1 With reference to para 2 of the Dt. Magistrate's letter on p. 3 c.f., it may be observed that the D.M., Bellary, the Sessions Judge, Bellary, and the D.E.O., Bellary, are members of the Committee of Visitors ex-officio, under rule 19 of the Children Rules. The maximum number of official members to be appointed by name has been fixed as four. As regards the Dt. Magistrate's query whether all the official members may be shown by their designation only, he may be informed that the ex-officio members may be shown by their designation and the other three members, viz., the S.D.M., D.M.O. and the Supdt., Central Jail, Bellary, may be shown by their names and their designation.

M

(H)

Rule 19 of the Children Rules

P

Subject to orders in regard to nomination a draft order is submitted.

Ex
6/8/42

JW
7/8/42

JW
7/8/42

S

A | Appointments by name means a fresh order at every change of incumbency

Para 6 of (H) | there is only a rule in respect of appointment of specific by name The D.M.S.T. D.E.O. Not to mention (and

B | hence there is no need for any appointment now at all in the case) and the no. of the official members may be determined by Govt. This determination can only be reviewed by having the designation Re-examined.

(x 10/8/42

Govt Nos 1684 Home dated 9-4-40 and No. 2619 Home dated 17-6-40 bearing upon the question of appointment of official members either by name or designation which are required for putting up a note, were called for from the Madras C.R.B. on 13-8-42. Submitted that this may lie over for three days, pending the receipt of

(x written memorandum)

of these GOs.

KRP 15/8/42

JU 15/8/42

The G.Os referred to in the office note at the bottom of page 3 ante have not yet been received from the Madras C.R.B. A reminder was sent yesterday. Submitted that this may lie over for two more days pending the receipt of the G.Os

KRP 18/8/42

JU 18/8/42

KRP 18/8/42

GOs rec'd KRP 20/8/

With reference to the Secretary's ~~query~~ orders on p 3 ante the following is submitted:

The proposal in this file is to appoint official members to the committee of visitors to the J.C. school at Bellary. The following officers were on the committee of visitors prior to the issue of the new Children Rules, 1940:-- (H)

The Dt. and Sessions Judge, Bellary

The Dt. Magistrate, Bellary

The Dt. Educational Officer, Bellary

The Supdt., Central Jail, Bellary.

The D.M.O., Bellary.

The S.D.M., Bellary.

Under the new rules (rule 19), the D.M., the D.E.O. and the Sessions Judge are ex-officio members on the committee. The D.M., Bellary, solicits orders whether the (other) officials on the committee, viz., Supdt., C.J., Bellary, D.M.O. and S.D.M., Bellary will be appointed as members by their designation only. The C.I. of Certified Schools recommends that these officials may be appointed by name only. The question is whether the appointment of these ~~3~~ 4 officers to the Committee should be by designation or name only or by both. The practice so far has been to appoint official members, other than ex-officio (F) members, to the committee of visitors both by their designation and name and to fix a period of two years as their term of office. Reference is, in this connection solicited to Mr. MacEwen's note on p. 12 of G.O. 2040, Home, (M)

d. 28.4.41. The idea underlying appointment by name ~~was the~~ is presumably personal merit of the individual officer concerned ~~so that~~ should be taken into account, so that, if any official (other than ex-officio) member did not discharge his duties as member of the committee properly, Govt. could appoint another suitable person in his place. In this respect they differed from ex-officio members who ~~were~~ are on the Committee by virtue of their official position under the statutory rule. It may be noted that rule 19 does not specifically say as to how official members should be appointed, nor do the rules fix the term of office of official members. There seems to be no objection to appointing the official members by their designation only, as suggested by the Secy, but it will restrict the freedom of Govt. in selecting suitable official members if any of the existing official members are found unsuitable. It will also lead to an obliteration of the distinction between members holding office ex-officio and other official members. Every person who holds the office will have a sort of claim to be appointed, as the intention appears to be to avoid the issue of a fresh order every time ~~a change~~ there is a change in incumbency. If considered necessary rule 19 may be suitably amended to lay down the procedure for appointment of official (other than ex-officio) members. ~~Perhaps Legal may see for remarks.~~

KRP 24/8/42

There is no technical objection to official members (other than ex-officio members) being appointed by designation that is the alternative suggested if deemed desirable for approval

HW 27/8/42

7W 28/8/42

S

UNDER SECRETARY TO GOVERNMENT 29 AUG 1942 HOME DEPT.

The DM, HSV, and the DEO are appointed ex-officio under Rule 19. The question is whether the remaining official members should be

offended by designation or by
name. It is a well known fact
that offending officers by name
Courts Martial Guilds and
Corporations became of the
liability to Transfer. Already
in this file (pp 3. 5) the I.S. has had
to be asked to report names, and Vide pp 11 ff
the forthcoming Lord Mark Survey
the same report item. The fact that
there has been a change in personnel
will almost certainly be overlooked
in some cases.

It would seem sufficient to
appoint by designation for 2 years.
The changes can be rung every 2
years if necessary; and there will
be nothing to prevent a change
during the 2 year period, things
like Lord. Lee & the good reason
for this action if were made at
a change of incumbency

(P 30 Dec) A

I think we may have D.No by
to write after this.
S.D.O. and S.D.M. should
be kept out of all papers.

Secretary
Dy.
S.T.
DES
D.M.O.

3 SEP 1942
HOME DEPARTMENT

Quite simple Secretary

SEP 2 1942

14/9/42

A draft order is submitted

KRP
15/9/42

14/9/42

Issued as G.O.Ms.No 3402 (247-S) Home dt. 15-9-42

Close it
but always
mention
in future
15/9/42

Governor's tour
15/9/42